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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

UNITED STATES OF AMERICA)	
)	
VS.)	1:23-CR-65 CMH
)	
)	ALEXANDRIA, VIRGINIA
)	SEPTEMBER 29, 2023
JAMES GORDON MEEK)	
_____)	

TRANSCRIPT OF SENTENCING
BEFORE THE HONORABLE CLAUDE M. HILTON
UNITED STATES DISTRICT JUDGE

Proceedings reported by stenotype, transcript produced by
Julie A. Goodwin.

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MS. JULIE A. GOODWIN, RPR
United States District Court
401 Courthouse Square
Alexandria, Virginia 22314

1 (SEPTEMBER 29, 2023, 10:23 A.M., OPEN COURT.)

2 THE COURTROOM DEPUTY: Criminal Number 23-65, *United*
3 *States of America versus James Gordon Meek*.

4 MS. HIGHTOWER: McKenzie Hightower on behalf of the
5 Government, Your Honor.

6 MR. GOROKHOV: Good morning, Your Honor. Eugene
7 Gorokhov here on behalf of Mr. Meek, who is coming out.

8 (DEFENDANT NOW PRESENT.)

9 THE COURT: Counsel, have you and your client had an
10 opportunity to review this presentence report?

11 MR. GOROKHOV: We have, Your Honor. We've reviewed it
12 in detail, yes, sir.

13 THE COURT: Any corrections you wish to make to it?

14 MR. GOROKHOV: No, Your Honor, beyond what I've
15 already stated in my letter to the probation officer. And if I
16 may, I'll just get this out of the way, and I think it will
17 make my argument today much shorter.

18 I think our general point here is that the
19 presentence report and the government's, a lot of what they've
20 put forward, are matters that are simply not -- not correct.
21 They're matters that the government investigated for a long
22 time. They never indicted on these issues because they didn't
23 pan out for the government. They are not part of the statement
24 of facts in this case. And for the government to walk away
25 from a trial that -- on these issues that Mr. Meek would have

1 prevailed on, it's not fair.

2 And I don't know if they'll do that today. I just
3 met Ms. Hightower for the first time today. I know she's kind
4 enough to stand in for the prosecutors that I've been dealing
5 with in this case since -- for 17 months, but I would say, Your
6 Honor, this case should be about the conduct that the parties
7 after a very robust process agreed is correct. And it's
8 serious conduct, and Mr. Meek accepts responsibility for that
9 very serious conduct. But it's not about, you know, walking
10 away from things that aren't accurate and then presenting them
11 as if they are.

12 And I hope my -- my filing, Your Honor, the other
13 day, and my response, I think it largely put to rest a lot of
14 what the government put out there. So, that's my comment on
15 the presentence report, and I will have argument for the Court.
16 Thank you, Your Honor.

17 THE COURT: All right. Well, go ahead and give me
18 your argument.

19 MR. GOROKHOV: Yes, sir.

20 So, Your Honor, I think this case, it's an
21 understatement to say that this case comes as a profound shock
22 to anybody who has known Mr. Meek and known what Mr. Meek is
23 about. Mr. Meek has been a journalist who tirelessly and
24 fearlessly worked to uncover human rights abuses and corruption
25 and to do good in the world. And he went from that status to

1 as recently as four days ago, Your Honor, being labeled as a
2 pervert in the national media.

3 Mr. Meek has -- was on the eve of receiving a
4 humanitarian award, Your Honor, for the work he did with
5 hostages and for rescuing hundreds of refugees from
6 Afghanistan, U.S. allied refugees, including hundreds of
7 children and being placed in a lockdown unit at the Alexandria
8 Detention facility for 22 hours a day in his pretrial
9 confinement for a period of six and a half months.

10 And it's hard to reconcile what he's done for 30
11 years with what he's done in this offense, but I do think
12 there's a very clear answer that emerges from a 16-hour
13 psychological evaluation here. And the answer is that this man
14 has a disorder, pedophilic disorder. It's a diagnosis.

15 It's not ambiguous. It's there. And that disorder
16 is the reason why Mr. Meek was drawn to these horrible
17 materials on the Internet. That's the reason why he obtained
18 these materials, that's the reason why he traded them, and
19 there's no mystery about that.

20 Now, what I want to be clear about is that this
21 disorder is not an excuse for the conduct. The conduct needs
22 to be prosecuted, it needs to be punished, and it needs to be
23 treated. But I think at the same time what sometimes gets
24 lost, Your Honor, is that nobody chooses, at least certainly
25 not Mr. Meek, to choose to have this disease, this illness,

1 this curse.

2 You know, you can call it whatever you want. It's
3 a horrible thing to live with because not only does it
4 perpetuate the victimization of children, but it also causes a
5 lot of shame and alienation and distress for the people who
6 struggle with it secretly as it festers and gets out of
7 control. And that's what happened in this case, Your Honor.

8 Now, you know, in the government's sentencing
9 memo -- and again, this is not directed to Ms. Hightower, but
10 in their sentencing memo I think what is significant is that
11 they have not said one kind word, one positive word about a man
12 whose life is full of good deeds. And I think that shows a
13 little bit of a lack of objectivity, Your Honor. And it shows
14 a failure to engage with. How did this disorder turn into a
15 crime.

16 And so I just want to take a couple of minutes,
17 Your Honor, to talk about that because that is the heart of
18 this case.

19 While the disgusting child abuse materials in this
20 case have been detailed in painful detail, not just in the
21 record of this case but in the media, what has not been
22 detailed are the other materials that Mr. Meek had on his
23 computer as a journalist. Materials involving torture,
24 executions, beheadings, human rights atrocities that Mr. Meek
25 looked at for thousands of hour -- for thousands of hours over

1 the course of decades. Since 2011, when he started reporting
2 on terrorism, he's been consuming as a journalist day in and
3 day out these horrific materials, Your Honor.

4 And on top of that, as the people who have written
5 to this Court have said, that in -- even outside of his role as
6 a journalist, Mr. Meek has never hesitated to take on the pain
7 and the grief and the suffering of people who have lost their
8 children at war, people who have lost family members as
9 hostages.

10 Mr. Meek's colleague, Andrew Fredericks, talks
11 about how he spent hours on the phone with families who are
12 grieving over the loss of their loved ones and would drive
13 hundreds of hours to a funeral.

14 Terri Criscio, who lost her son at war in this
15 case, talked about how Mr. Meek was a friend and is a friend
16 who got her through her hardest days.

17 And the Reverend Kathleen Day, Your Honor, talks
18 about Mr. Meek as a person who long after his role as a
19 journalist was over -- long after his role as a journalist was
20 over, Your Honor, Mr. Meek continued to be in the lives of the
21 people who had suffered immense tragedies as a matter of his
22 choice to help those people.

23 And we don't need a psychologist to tell us,
24 although she did, but we don't need a psychologist to tell us
25 that when you take a preexisting psychological disorder and you

1 put on top of that trauma and pain and grief, there's going to
2 be a breaking point. And that breaking point in this case,
3 Your Honor, was Mr. Meek's offense conduct.

4 Five years ago, before -- before Mr. Meek was ever
5 apprehended in this case, Mr. Meek talked openly in an
6 interview about his struggle with mental health from reporting
7 on these issues, from looking at this footage. And he said in
8 black and white text that, you know, I'm losing -- you know,
9 this -- this stuff causes me to lose my grip on reality, but
10 it's important to keep reporting on it because somebody has to.

11 Now, I'm getting close to the end, Your Honor, so
12 thank you so much for hearing me out because I do think it's
13 important to -- to address here the folks that have come in to
14 support Mr. Meek.

15 Beyond the 16-hour psychological evaluation where
16 Dr. Boyd said that Mr. Meek was clearly guilty -- she said his
17 words were that he bluntly acknowledges the harm of his
18 conduct. Mr. Meek badly wants to change. He badly wants to
19 get treatment, and he has started treatment. And Mr. Meek has
20 an extremely low chance of recidivism.

21 We have a lot more than that here, Your Honor.
22 Mr. Meek has had the support of members of the military at the
23 highest levels. People who served in law enforcement, people
24 who served in national security at the highest levels of this
25 country. He has the support of religious figures,

1 investigative journalists and gold star families who lost
2 children on behalf of this country. And those people have not
3 known Mr. Meek for 16 hours, like Dr. Sarah Boyd, or for one
4 session for the presentence interview. They have known
5 Mr. Meek for years, multiple years; in some cases, Your Honor,
6 multiple decades.

7 They have read the facts in this case, and they
8 have read even the allegations in this case that have gone
9 away. The worst of the worst. And these people unambiguously
10 come forward and they say Mr. Meek is a good man. He's a
11 fundamentally a good man.

12 And these people don't talk in broad statements or
13 platitudes. They -- they talk in very specific facts. And
14 they don't shade the truth. They don't play with the truth.

15 And one -- Your Honor, I'll just say an agent of
16 28 years, a Special Agent with the FBI, Raymond Gannon, and a
17 Gold Star father who as part of his role with the FBI
18 investigated these types of cases, has said in his letter that
19 Mr. Meek is a hero.

20 The other point, Your Honor, that comes through
21 from these people who support Mr. Meek is that he's profoundly
22 remorseful for what he's done. He wants to rehabilitate
23 himself, and he will never ever be charged with any crime, let
24 alone this kind of crime again. He won't do it.

25 And I think that's very significant, Your Honor,

1 because these are individuals who have given -- in some cases
2 they've bled for this country at war. In some cases they've
3 lost children for this country to keep our citizens, to keep us
4 safe.

5 And if they thought for a minute that Mr. Meek
6 posed even a tiny, minute risk to the most vulnerable citizens
7 of our society, they would not stand by him.

8 Mr. Meek is here today, Your Honor, in his darkest,
9 most shameful moment in his life. And many days he cannot
10 imagine a future. But these people come forward, these
11 remarkable Americans come forward and they say, not only will
12 we stand by him now and in the future, but Mr. Meek will go on
13 to do good again. And that's a remarkable statement. And I
14 think that tells you everything you need to know, Your Honor,
15 about this man.

16 60 months is a tremendously long sentence for
17 anybody, let alone a person who's never had any contact with
18 the criminal system at all - zero. And a sentence of 60 months
19 will allow this man to -- to rebuild his life, and it will meet
20 every single goal of sentencing, every conceivable goal of
21 sentencing.

22 Thank you, Your Honor.

23 MS. HIGHTOWER: Your Honor, I just want to briefly say
24 that the government is completely within its right to bring in
25 facts outside the statement of facts, and that's exactly what

1 we did in our sentencing paper.

2 I also just wanted to briefly respond to something
3 the defense counsel said when he said, quote, No one chooses to
4 have this illness, end quote.

5 Well, that might be true, Your Honor. They do
6 choose to act on it. And I'll -- I'll touch on that briefly a
7 little bit later on, but the government is recommending a
8 guideline sentence between 151 and 188 months because the
9 defendant transported, distributed, and received CSAM online.

10 He sought out communities and individuals to
11 further these goals. And he posed as a minor himself to gain
12 minors' trust.

13 He was not content with just exchanging CSAM with
14 individuals online, Your Honor. He was a member of groups
15 called cocks, cunts, and kids, apparently devoted exclusively
16 to the exchange of Child Sexual Abuse Material.

17 Briefly, I'd like to respond to a few key points in
18 the defendant's sentencing paper as well.

19 First, the paper cherry picks from his own mental
20 health evaluation, Your Honor. The doctor noted that his
21 distorted thinking and that he relied on it to rationalize
22 legal conduct and that he off-loaded some of the blame for the
23 individual's sexualized behavior, and placed the blame on the
24 broader culture in society.

25 However, society is not to blame here, Your Honor.

1 Mr. Meek had years to stop his conduct. And instead, he made a
2 choice each time, over multiple years, to keep exploiting
3 minors. He chose to salivate over a video of a toddler being
4 raped, and he found community with other individuals who wanted
5 to rape toddlers with Mr. Meek.

6 Second, the defendant's sentencing paper emphasizes
7 the contributions he has made to society in his life. The
8 government acknowledges that. But Mr. Meek has lived a double
9 life as well, Your Honor.

10 In one sphere, he has received awards and accolades
11 for his actions. And now, in the other, it is time for him to
12 receive the consequences of his illegal conduct. This is
13 conduct that hurt real children, Your Honor.

14 He received and distributed images of BDSM and
15 vaginal penetration of very young children. The only way he
16 could receive these images is if these horrific acts were
17 performed on real children. He is perpetuating this horrific
18 industry, and Mr. Meek needs to be held accountable for that,
19 Your Honor.

20 Third, the defendant's sentencing paper
21 inappropriately tries to shift blame for Mr. Meek's conduct
22 through his victims. He goes on at length about a particular
23 minor's supposed online conduct, even going so far as to refer
24 to this minor victim whose images were circulated as the
25 subject of the investigation.

1 However, what is clear from the record is that the
2 defendant sought out, identified Minor 2 online, learned her
3 interests, and then tried to use these interests to manipulate
4 her into engaging with him. He also had 11 nude pictures of
5 her on his device, Your Honor.

6 He also tries to discount the screen shots of him
7 holding his penis while chatting with an individual who
8 identified himself as a minor on Omegle. Regardless of how old
9 this individual was actually, this individual told him he was a
10 minor. And instead of logging off at the platform, Mr. Meek
11 continued to engage with the minor. He actually took a
12 screenshot so he could preserve the minor's contact information
13 and be in touch with her on a more convenient platform.

14 Fourth and final, Your Honor, the defendant has
15 consistently, for at least a decade, demonstrated the behavior
16 of a man determined to seek out images and videos of the sexual
17 abuse of children online. He's interested in boys and girls,
18 from infants to teenagers, another point he downplayed during
19 the psychological evaluation.

20 These images included sadistic and masochistic
21 abuse of children. And he also directly sought out minors
22 online, including for sexual encounters.

23 Based on this behavior, the government believes
24 that a guideline sentence is warranted, necessary, and
25 appropriate.

1 Just briefly touching on fines and special
2 assessment, Your Honor, the defendant, as evidenced by the PSR,
3 can pay these, so the government respectfully requests a
4 \$10,000 mandatory assessment under the Justice for Victims of
5 Trafficking Act. And, Your Honor, we request a reasonable
6 special assessment under the AVA Child Pornography Victim
7 Assistance Act.

8 We respectfully ask restitution to be set out for
9 another day, and a forfeiture order has already been entered at
10 the plea agreement, Your Honor.

11 THE COURT: Okay.

12 MR. GOROKHOV: Your Honor, here we are once again. I
13 had hoped that by filing a response that meticulously and in
14 detail dismantles the things that were just repeated here
15 again, that they wouldn't be repeated here again, and yet, here
16 they are being repeated again, after I've gone through them in
17 painful detail. I -- I --

18 THE COURT: Well, you know, I denied your motion on
19 that, and I don't see any reason to go beyond that. I can sort
20 these facts out.

21 MR. GOROKHOV: Your Honor, I think -- I think there's
22 maybe some confusion here. This is not anything about the
23 fourth -- Your Honor, this is not anything about the search and
24 seizure in this case. This is about the actual evidence of --
25 that's being discussed by the government at sentencing.

1 THE COURT: I say I can sort that out. You don't need
2 to go any further with it.

3 MR. GOROKHOV: Thank you, Your Honor.

4 I just -- I hope you can understand my frustration
5 that when I -- when I try to do that they just come back and
6 say it -- say something that they didn't -- they backed off of
7 a trial on.

8 THE COURT: You can -- you can handle your
9 frustrations, and I can straighten it out.

10 MR. GOROKHOV: I appreciate that, Your Honor.

11 THE COURT: We're in good shape here.

12 MR. GOROKHOV: Thank you, sir.

13 Mr. Meek would like to address the Court, Your
14 Honor, if I may...

15 THE COURT: We'll give him an opportunity.

16 MR. GOROKHOV: Thank you, sir.

17 And one -- one last thing since we talked about
18 fines and special assessments. Mr. Meek will have to pay a
19 minimum special assessment of \$5,000 per count, which is
20 \$10,000. That's as to each count. That is -- you know, the
21 standard special assessment is \$100, so that's already a
22 significant number. And on top of that, Your Honor, we're
23 going to be in the process of working out the restitution.

24 So, he's going to have significant financial
25 circumstances from this. Mr. Meek has a lot of obligations to

1 his children as well and his family. We would ask the Court
2 not to impose a fine, an additional fine on top of all that for
3 that reason.

4 Thank you, sir.

5 THE COURT: All right. Mr. Meek, would you come to
6 the podium.

7 THE DEFENDANT: Your Honor, there is a time for
8 silence and a time to speak. Thank you for the opportunity to
9 speak to you today about my offenses.

10 I was a journalist. I wrote countless stories
11 about the misconduct of others. I never respected those who
12 didn't own their mistakes, so I will not run for cover here.

13 The buck stops with me. The mistakes were all
14 mine. I broke federal law, I violated God's law, and I
15 undermined my own personal ethos to always help people.
16 Instead of loving kindness, I caused widespread pain and
17 suffering among everyone who ever had faith in James Gordon
18 Meek.

19 First, among those harmed are the victims of child
20 exploitation. I apologize and ask for their forgiveness.

21 What I have to say to you today is what I would say
22 to the two people I cherish most in the world and zealously
23 protected: My two daughters, ages 16 and 20. And that is the
24 brutal truth. I have let down my daughters and countless
25 others, and I owe them all a sincere apology.

1 When I was raising my daughters with their mom, I
2 often would tell them: Do the right thing, the rest will
3 follow.

4 Do the right thing, the rest will follow.

5 But eventually, I did the wrong thing, and public
6 shame and disgrace have followed, as it should. I also taught
7 my children that when you make a mistake, when you do the wrong
8 thing, your obligation to do the right thing is not over. You
9 must own your errors and hold yourself out for accountability.

10 I committed the offenses, which I pled guilty to,
11 sir, and the law requires you to hold me accountable. I ask
12 you to do that, too. In fact, I need you to hold me
13 accountable, for I acknowledge my transgressions. My sin is
14 ever before me, as the psalmist wrote. My heart is broken and
15 contrite.

16 I do not know any of those depicted in the images I
17 downloaded, but I have read victim impact statements detailing
18 the abuses and exploitation of two women whose images I
19 possessed. They have not only suffered childhood abuses by
20 adults, but they have suffered endless trauma as adults from
21 notifications that thousands of men, like me, have viewed and
22 traded the evidence of their exploitation.

23 Many people I have been close to have been victims
24 of sexual abuse, and I know their anguish well. So to those
25 whose victimization I have contributed to with each click

1 online, I beg you to forgive me. I am sincerely sorry for all
2 I have done so egregiously wrong, which has caused so much harm
3 to you.

4 A famous former inmate once said: The cell gives
5 you the opportunity daily to examine your entire conduct, to
6 overcome the bad, and find whatever is good within you.

7 I thank God for giving me more than 4,500 hours
8 completely alone in my cell to examine my entire conduct and to
9 reckon with my terrible, inexcusable sins.

10 I once was a man motivated in my work by moral
11 outrage over injustices, but I fell and transformed into a man
12 morally outrageous. I wear my shame and remorse like a bag of
13 boulders on my back. It will never leave me and it never
14 should, for whatsoever a man soweth, that shall he also reap.

15 Had my own children ever been abused, I would have
16 died inside.

17 After 9/11, I investigated many, many human rights
18 abuses. So to victims of child pornography I say, I should
19 have helped you find accountability, not joined in your online
20 exploitation. I have the skills.

21 My children, my family, and all those I knew and
22 worked with had every right to expect me to lead a righteous
23 life and to hold myself at all times to the highest ethical
24 standards. But the great deceiver had a hold of me. I was a
25 weak man, and out of the light of God's love I fell into the

1 cold, hard shadow of a moral eclipse. Yet, the Lord saved me
2 last year. And whether in prison or as a returned citizen, I
3 pledge to you, Judge Hilton, that I will be what the Jesuits
4 call a man for others. I will work to help the least ones of
5 our society. We're all worthy of God's forgiveness and His
6 tender mercies. I will not re-offend.

7 I've read and accept the assessment of Dr. Sarah
8 Boyd, which was extremely painful. I understand that I have a
9 sexual disorder that crossed a red line into illegal conduct
10 for a long time, but the terrifying process of being
11 apprehended is also what allowed me to finally seek and receive
12 effective psychotherapy.

13 I know I need a lot more help. I have no
14 illusions. There's a long road ahead. And I hope to resume
15 therapeutic treatment during my incarceration and beyond, as I
16 also continue to seek help from the Lord.

17 Sir, my beloved relationship with my daughters has
18 been severely damaged by my crime. They don't know the man
19 that they've read about this year. I hope you'll forgive me.
20 My tears are not for myself, but for my daughters.

21 Yet, when they learned I took responsibility for my
22 actions, they said that at last. After the crucible I have put
23 my family through, they recognized the dad they know, again,
24 and that, too, is why I plead with you to hold me accountable.

25 I've been fortunate that people of strong faith

1 have not only stood by me but helped guide me to the Lord. I
2 will continue firmly on that path.

3 Thank you and may God bless you and keep you, sir.

4 THE COURT: All right. Well, Mr. Meek, I find the
5 guideline factors in this case to be properly assessed at a
6 range of 151 to 188 months.

7 And I find because of your financial condition and
8 the other assessments involved with the imposition of any fine
9 or cost is not warranted, other than those that I'm about to
10 impose.

11 In considering the factors under Section 3553,
12 considering the circumstances involved in this offense, your
13 prior record, I find that a sentence somewhat below the
14 guideline range would be appropriate.

15 And it will be the sentence of the Court as to
16 counts one and three that you be committed to the custody of
17 the Attorney General to serve a term of 72 months, a ten-year
18 period of supervised release, pay a special assessment fine of
19 \$100.

20 Now, the sentences in these two counts will run
21 concurrently with one another.

22 I will also impose, as I believe I'm required to
23 do, a \$5,000 assessment as to each count for the nature of
24 these offenses.

25 Your supervised release will be subject to the

1 terms and conditions of the standard conditions of probation,
2 and in addition, the special conditions that have been set out
3 in the presentence report.

4 I will advise you that you have the right to
5 appeal. It must be done within 14 days. If you cannot afford
6 an attorney, one will be appointed to represent you.

7 THE DEFENDANT: Thank you, sir.

8 THE COURT: And you can present to me -- when you get
9 the restitution worked out, you can present that order to me
10 and I will enter that.

11 MS. HIGHTOWER: Yes, Your Honor.

12 I also just wanted to mention there's -- there's no
13 victims that need to be heard today. And also, we already
14 submitted a --

15 THE COURT: I'm sorry. I can't understand you.

16 MS. HIGHTOWER: I'm sorry, Your Honor.

17 (ATTORNEY HIGHTOWER COMES TO LECTERN.)

18 MS. HIGHTOWER: I also just wanted to say that there's
19 no victims that wanted to be heard today. And we also
20 submitted a motion to dismiss the remaining count that has --
21 has already been handed up.

22 THE COURT: All right. I'll enter that order a little
23 later in the morning.

24 MR. GOROKHOV: And if I may, Your Honor. We would ask
25 for designation at Petersburg FCI.

1 THE COURT: I will recommend the facility at
2 Petersburg.

3 MR. GOROKHOV: Thank you, Your Honor.

4 We would also ask for a recommendation for
5 treatment, mental health treatment and drug treatment, Your
6 Honor.

7 And finally, we -- we did have an agreement with
8 the government that we would file a motion to supplement the
9 record on one piece of evidence. They agreed. It's a fully
10 agreed motion, and I can file that today, Your Honor, before
11 the end of the day.

12 THE COURT: All right. I'll --

13 MR. GOROKHOV: Thank you, sir.

14 THE COURT: I will recommend the drug and mental
15 health treatment that you requested.

16 All right. We'll adjourn until Monday morning at
17 10:00 o'clock.

18 THE LAW CLERK: All rise.

19 (PROCEEDINGS CONCLUDED AT 10:52 A.M.)

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1 UNITED STATES DISTRICT COURT)

2 EASTERN DISTRICT OF VIRGINIA)

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4 I, JULIE A. GOODWIN, Official Court Reporter for
5 the United States District Court, Eastern District of Virginia,
6 do hereby certify that the foregoing is a correct transcript
7 from the record of proceedings in the above matter, to the best
8 of my ability.

9 I further certify that I am neither counsel for,
10 related to, nor employed by any of the parties to the action in
11 which this proceeding was taken, and further that I am not
12 financially nor otherwise interested in the outcome of the
13 action.

14 Certified to by me this 17TH day of JANUARY, 2024.

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/s/
JULIE A. GOODWIN, RPR
Official U.S. Court Reporter
401 Courthouse Square
Alexandria, Virginia 22314

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